

REMARKS

Claims 1, 2, 6, 10, 14, and 18-26 have been canceled without prejudice or disclaimer. Claims 29-43 have been added and therefore are pending in the present application. Claims 29-43 are supported throughout the specification, including the original claims.

The Office Action mailed October 31, 2007 made a restriction requirement between the following groups:

Group I – claims 1, 2, 6, 10, 14, and 18-21 drawn to galactanase variants, and

Group II – claims 22-26 drawn to nucleic acid sequences encoding a galactanase variant.

In addition, the Office Action required “restriction to one of the variant polypeptide comprising alteration in one of the positions recited in claims 1 and 2....” Specifically, the Office stated that the different proteins recited in claims 1 and 2, having galactanase activity, do not have special technical feature among each other because they all represent structurally different polypeptides and polynucleotide encoding them.” The restriction requirement is respectfully traversed.

The newly presented claims are directed to variants of a parent Glycoside Hydrolase Family 53 galactanase, comprising an alteration at one or more of positions 90, 91, 183, 303, 305 and 313. Applicants submit that these claims share a special technical feature.

Significantly, no objection to unity of invention was raised at any point of the PCT prosecution.

Moreover, there would not be a serious burden on the examiner if restriction were not required with respect to the newly presented claims.

Applicant, therefore, respectfully submits that the restriction requirement is improper and requests reconsideration and withdrawal of the restriction requirement as to the newly presented claims.

In order to be fully responsive, Applicants hereby elect the invention of Group I and position 90. Applicants hereby reserve the right to file divisional applications directed to the nonelected subject matter.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

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